

Reference is made to the following documents:

D1: DE 102 20 337 A1
D2: US 2002/116919 A1
D3: US-A-5 842 339
D4: US 2002/069864 A1

Re Box No. V

Substantiated findings concerning novelty, inventive step, and commercial applicability; documentation and explanations in support of said findings

1 The present application does not meet the requirements of article 33(1) PCT because claims 1 and 6 are not novel within the meaning of article 33(2) PCT.

Claim 1:

Document **D1** discloses a method for determining current oxygen loading of a 3-way catalytic converter of a lambda-controlled internal combustion engine having a linear pre-converter lambda probe connected upstream of the catalytic converter, a post-converter lambda probe connected downstream of the catalytic converter, and a device for measuring the air-mass flow rate (abstract; paragraph [0009-0025]), whereby

- a value for current oxygen loading is calculated from the signal of the pre-converter lambda probe and from the measured air-mass flow rate through integration over time
- and said value will be set to 0 when the post-converter lambda probe's signal breaks through to rich mixtures.

Other documents (for example **D2** (Fig. 1; paragraph [0023-0027] and **D3** (Fig. 1, 2; paragraph [0030-0042]) and **D4** (Fig. 1, col. 3, line 15 - col. 4, line 67)) also appear to disclose the subject of claim 1.

Claim 6

D1 discloses a method for regulating, controlling, and/or monitoring the exhaust treatment of a lambda-controlled internal combustion engine in a 3-way catalytic converter, a linear pre-converter lambda probe connected upstream of the catalytic converter, and a device for measuring the air-mass flow rate (abstract; paragraph [0009-0025]), which method uses values for

- the catalytic converter's current oxygen loading (see claim 1) that are calculated using the method according to one of the preceding claims.
- 2 Independent claims 7-11 appear novel and inventive for the following reasons:
- Claims 7-11: The additional feature of the oxygen quotient in combination with claim 6 (which is dependent on claims 1-5) is not disclosed by any other prior-art document.
- 3 Dependent claims 2-5 contain no features which, in conjunction with the features of any claim to which they relate, meet the requirements of the PCT in terms of novelty or inventive step, see the documents cited in the Search Report and the relevant sections of text indicated in the Search Report.

Re Box No. VII, VIII

Substantiated findings concerning the form of the application and clarity

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- Contrary to the requirements of rule 5.1 a) ii) PCT there is no indication of the relevant prior art in the description.
- The retrospective reference in claim 6 seems incorrect as only claim 5 discloses the feature "current oxygen quotient".
- Claim 7 discloses an "oxygen quotient". That should be formulated as "current oxygen quotient".
- The retrospective references in claim 8 seem unclear as they only refer to claim 6 or 7 and, later, only to claim 6 (only claim 7, though, discloses a diagnostic method).